

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**MARK RICHARD DALLMAN,**

**Defendant.**

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**Case No. 6:13-cr-03081-MDH-1**

**ORDER**

Pursuant to governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri, the motion herein for determination of Defendant's mental competency (Doc. 44) was referred to the United States Magistrate Judge for preliminary review under § 636(b), Title 28, United States Code. The Magistrate Judge ordered that Defendant undergo a psychiatric examination. After reviewing the psychiatric report and conducting a competency hearing, the Magistrate Judge submitted a report and recommendation to the undersigned (Doc. 49). Neither party filed exceptions to the report and recommendation.

After careful review of the files and records, the Court adopts the findings and recommendations of the United States Magistrate Judge. The sole, unopposed expert opinion in this case establishes that Defendant is not "presently suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense[.]" *See* 18 U.S.C. § 4241(d).

It is **THEREFORE ORDERED** that the report and recommendation of the United States Magistrate Judge (Doc. 49) is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant is declared competent to stand trial pursuant to 18 U.S.C. § 4241.

**IT IS SO ORDERED.**

Dated: May 27, 2015

/s/ Douglas Harpool  
**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**